

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

KEON WILLIAMS.

Case No. 3:23-cv-00002-MMD-CLB

Plaintiff,

ORDER

Y.

SHAWN THORHILL, *et. al.*,

Defendants.

11 Pro se Plaintiff Keon Williams brings this action against Defendants¹ under 42
12 U.S.C. § 1983. Before the Court is United States Magistrate Judge Carla L. Baldwin's
13 Report and Recommendation (ECF No. 3 ("R&R")), recommending that the Court deny
14 Williams' application to proceed *in forma pauperis* (ECF No. 1 ("IFP Application")) and
15 dismiss Williams' Complaint (ECF No. 1-1) without prejudice and without leave to amend.
16 Williams timely filed an objection (ECF No. 4 ("Objection")) to the R&R. As further
17 explained below, the Court overrules Williams' Objection, and adopts the R&R in full.

18 This Court “may accept, reject, or modify, in whole or in part, the findings or
19 recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party
20 timely objects to a magistrate judge’s report and recommendation, the Court is required
21 to “make a de novo determination of those portions of the [report and recommendation]
22 to which objection is made.” *Id.* The Court’s review is thus de novo because Williams filed
23 his Objection. (ECF No. 4.)

24 Judge Baldwin found that Williams appears to ask the Court to intervene in his
25 ongoing state criminal proceedings, and the Court therefore should abstain under
26 *Younger v. Harris*, 401 U.S. 37 (1971). (ECF No. 3 at 3-4.) Williams' Objection only

²⁸ ¹Defendants are Shawn Thornhill, Bryce Shields, Karen Stephen, and the State of Nevada. (ECF No. 1-1.)

1 reaffirms that Judge Baldwin's finding is correct. That is, Williams insists that "the cases
2 of the plaintiff[] must be removed" and that Defendants have violated his constitutional
3 rights in bringing "fictitious" charges against him. (ECF No. 4 at 5-6.) Judge Baldwin thus
4 correctly found the *Younger* abstention doctrine applies here.² Accordingly, the Court will
5 adopt the R&R.

6 It is therefore ordered that Williams' objection (ECF No. 4) to Judge Baldwin's
7 Report and Recommendation (ECF No. 3) is overruled.

8 It is further ordered that Judge Baldwin's Report and Recommendation (ECF No.
9 3) is accepted and adopted in full.

10 It is further ordered that Williams' IFP Application (ECF No. 1) is denied as moot.

11 The Clerk of Court is directed to file the Complaint. (ECF No. 1-1.)

12 It is further ordered that the Complaint (ECF No. 1-1) is dismissed without prejudice
13 and without leave to amend.

14 The Clerk of Court is directed to enter judgment accordingly and close this case.

15 DATED THIS 10th Day of February 2023.



MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE

27 ²Judge Baldwin goes on to note that Williams cannot raise Section 1983 claims
28 against the State of Nevada and that certain defendants enjoy absolute immunity from
suit. (ECF No. 3 at 5.) Because the Court agrees with Judge Baldwin's recommendation
to dismiss the Complaint, the Court does not address Judge Baldwin's other findings.